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PTO/SB/21 (09-04)

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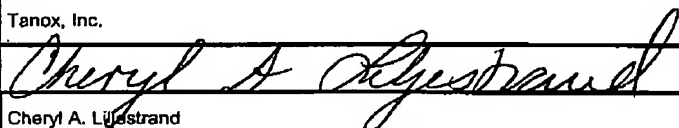
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/528,326	
	Filing Date	March 7, 2006	
	First Named Inventor	YAO, Zhengbin	
	Art Unit	1633	
	Examiner Name	K. Hill	
Total Number of Pages in This Submission	3	Attorney Docket Number	TNX-1001

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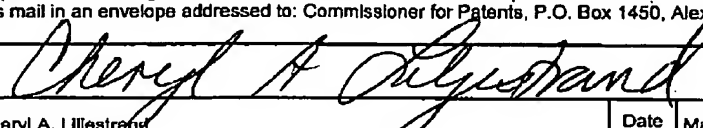
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ENCLOSURES (Check all that apply)		
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Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Tanox, Inc.		
Signature			
Printed name	Cheryl A. Liljestrand		
Date	May 22, 2007	Reg. No.	45,275

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: )  
YAO, Z, et al. )  
Serial No.: 10/528,326 ) Group Art Unit: 1633  
International PCT Filing Date: 09/19/2003 ) Examiner: K. Hill  
U.S. 371 Filing Date: March 07, 2006 )  
For: NUCLEAR FACTOR OF ACTIVATED )  
T-CELL RECEPTORS )

Commissioner for Patents  
Alexandria, VA 22313

**RESPONSE TO UNITY OF INVENTION REQUIREMENTS UNDER PCT 13.2**

This response to the Restriction Requirements under PCT Rule 13.2 mailed April 23, 2007 is being filed within one month of the mailing date of the Office Action and therefore, no fee should be required. If a fee is required, please notify the undersigned and charge to our deposit account No. 20-0087.

**REMARKS**

Claims 31 to 52 are currently pending in the present application.

Applicants respectfully point out that an election of Group I directed to the polypeptide of SEQ ID NO: 2, was already made with traverse in the Response filed on March 12, 2007. The Office did not address the Election made in favor of Unity of invention and did not acknowledge the arguments made in that response to the previous Office Action. Therefore, Applicants request proper consideration of the arguments and reiterate them here.

Applicants respectfully point out that the "Special Technical Feature" of the present invention is SEQ ID NO: 2, and all of the claims relate to this special technical feature. PCT

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Response to Office Action dated April 23, 2007

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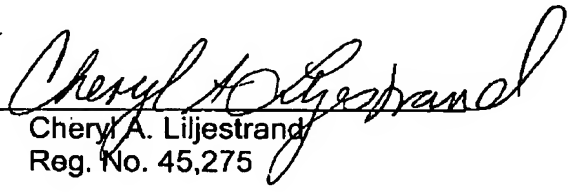
RULE 13.2 states that Unity of Invention is satisfied if there is a technical relationship among the claimed inventions. The technical relationship is related to a "special technical feature" that each of the inventions, considered as a whole, makes over the prior art. Each of the Independent claims of the present application relates to the special technical feature SEQ ID NO: 2 and therefore form a single inventive concept. Moreover, no problem of lack of Unity arises with respect to any claims that depend from independent claims directed to the special technical feature. Claims 31-33 are directed to SEQ ID NO: 2; claims 34-37 and 52 relate to the polynucleotide encoding SEQ ID NO: 2; claims 38-40 relate to antibodies that bind SEQ ID NO: 2; and claims 41-52 relate to the use of SEQ ID NO: 2. Therefore, all of the claims have Unity of Invention and restriction of these claims is improper according to Rule 13.2.

Applicants included Annex B "Unity of Invention" and two examples of Unity of Invention taken from Chapter 10 "Unity of Invention" in the PCT Guidelines provide by the WIPO with the previous response. Section 10.21 Example 1 and Section 10.59 Example 39 clearly illustrate that a protein and its encoding nucleic acid have Unity and the methods of manufacturing or using the protein (Substance X) have Unity. Therefore, Applicants respectfully request that the Restriction be withdrawn and all claims examined according to PCT guidelines.

Respectfully Submitted,

Dated: May 22, 2007.

BY:

  
Cheryl A. Liljestrand  
Reg. No. 45,275